



Attorneys at Law

Suite 2800 1100 Peachtree St.  
Atlanta GA 30309-4530  
t 404 815 6500 f 404 815 6555  
[www.KilpatrickStockton.com](http://www.KilpatrickStockton.com)

direct dial 404 685 6799

direct fax 404 541 3244

[BHolmes@KilpatrickStockton.com](mailto:BHolmes@KilpatrickStockton.com)

August 17, 2006

Mr. Borne Mace  
377 Huse Rd., Apt. 7  
Manchester, NH 03103

Re: Utility Serial No. 09/662,737  
For: A System for Aggregating Information From Enterprises  
Offering Items for Exchange Over A Communication Network  
Filed: September 15, 2000  
Our Ref.: L9090/269360

and

Re: Utility Serial No. 09/428,702  
Filed: October 27, 1999  
Title: "A System for Aggregating Information From Enterprises  
Offering Items for Exchange Over a Communication Network"  
Our Ref.: L9090/269367

---

Dear Mr. Mace:

We represent Landmark Communications, Inc. with respect to the above-referenced patent applications for which you are a named inventor. Currently the two applications are pending at the U.S. Patent and Trademark Office.

We discussed the development history of the inventions described in the applications with Kimbo Mundy and have prepared the enclosed declarations for your signature. Please execute the declarations and return them to us in the enclosed postage-paid envelope. We intend to file the declarations with the Patent Office. Please contact me if you have any changes to the declaration or if you did not contribute to the concept of using categories and keywords.

Also, please advise us if you have current contact information for Derek Young. Our previous correspondence to him was returned as undeliverable.

Thank you for your cooperation.

Very truly yours,

A handwritten signature in blue ink, appearing to read "Brenda O. Holmes".  
Brenda O. Holmes, Esq.

BOH/ljw

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: **Kimbo Mundy et al.**

SERIAL NO.: **09/662,737** GROUP ART UNIT: **3624**

FILED: **September 15, 2000** EXAMINER: **Olabode Akintola**

FOR: **A System for Aggregating  
Information from Enterprises  
Offering Items for Exchange  
Over a Communication Network**

Attorney Docket No.: BDE-001CN (431/6)  
(L9090/269360)

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

RULE 1.131 DECLARATION

I, Borne Mace, having first-hand knowledge of the facts recited herein, declare as follows:

1. I am one of the inventors of the subject matter disclosed and claimed in the above-referenced application.
2. I conceived and reduced to practice in the United States the invention that is claimed in the application prior to September 3, 1999.
3. The Specification identifies www.biddersedge.com as an exemplary system web site on page 18, line 3 and Figures 6-12 illustrate various web pages associated with the Bidder's Edge web site. Copies of page 18 of the Specification and Figures 6-12 are attached hereto as Exhibit A.
4. The website at www.biddersedge.com was launched prior to September 3, 1999. A copy of a web page from www.biddersedge.com that was available prior to September 3, 1999 is attached hereto as Exhibit B. Exhibit B was obtained from the Internet Archive Wayback Machine (http://web.archive.org/web/\*http://biddersedge.com) on July 19, 2006.
5. Figure 6 illustrates categories (626) and search parameters (624, 628 and 630). Exhibit B illustrates the use of categories and an advanced auction search that

Serial No. 09/662,737  
Rule 1.131 Declaration – Borne Mace  
Docket No. L9090/269360  
Page 2 of 2

allowed a user to specify a category, an auction, and/or one or more keywords. Although the format of Exhibit B differs from the format of Figure 6, the categories and search functions provided by the Bidder's Edge website prior to September 3, 1999 were equivalent to those described in the specification and illustrated by Figure 6.

The undersigned declares further that all statements made herein of his own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine, or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of any patent issuing on this application.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this \_\_\_\_\_  
day of \_\_\_\_\_, 2006.

\_\_\_\_\_  
Borne Mace

The viewer 118 executes on the host computer 104 to provide a graphical user interface for the system 102. In the illustrative embodiment, the viewer 118 provides a system Web site, an example of which is located at address [www.biddersedge.com]. At the system Web site, the viewer provides a plurality of Web pages that enable a shopper

5 to monitor and participate in auction activity occurring at a plurality of auction sites. The viewer 118 includes foreground process software that detects signals from the shopper access devices 108a-108d. Preferably, a shopper enters requests at a shopper access device 108a-108d by way of a mouse or keypad. The viewer 118 detects the requests and responds by displaying the requested information.

10 The pages created by the viewer 118 each provide different information to a shopper. Accordingly, the viewer 118 also enables shoppers to navigate between each of the available pages. Briefly, the GUI pages generated by the viewer 118 include a page navigation menu bar, near the top of each page, which allows the shopper to directly navigate to any of the other viewer pages. When a shopper logs into the Web site of the

15 illustrative embodiment, the viewer 118 displays a Home page to the shopper. The shopper interacts with the search engine 120 from a plurality of the pages generated by the viewer 118. An illustrative Home page, along with other illustrative GUI pages generated by the viewer 118 are discussed in further detail below with respect to

#### FIGURES 6-12.

20 In response to a shopper's command, the viewer 118 can invoke the search engine 120 to query the database 106 for items associated with a particular item category and/or keyword expression. Alternatively, the viewer 118 can invoke the site access facilitator 122 to enable the shopper to directly access and participate in a particular auction site

Title: System for Aggregating Information From  
Enterprises Offering Items for Exchange Over a  
Communication Network  
Inventor(s): Mundy et al.  
Serial No.: 09/428,702  
Atty Docket No.: BDE-001 (431/6)  
Atty/Agent: R. Stephen Rosenholm

6/12



[home](#) | [sign out](#) | [categories](#) | [my auctions](#) | [deal watch](#) | [personalize](#) | [help](#)

### My Lists

#### Deal Watch (2)

Gives you an early edge by alerting you when items come up for auction.

#### My Auctions (0)

Saves you time by keeping price & status of your shopping list all in ONE PLACE, so you avoid going to each auction separately.

### Categories — 626

#### Antiques (8,191)

#### Beanie Babies (89,361)

#### Books & Magazines (110,130)

#### Cars, Trucks, etc. (7,193)

#### Coins & Stamps (67,534)

#### Collectibles (185,695)

#### Computers (93,748)

#### Dolls & Figures (32,700)

#### Electronics (20,436)

#### Glass, Porcelain &

#### Pottery (51,682)

#### Home & Leisure (80,995)

#### Jewelry (63,111)

#### Memorabilia (73,336)

#### Miscellaneous (8,429)

#### Movies & Video Games (41,043)

#### Music & Instruments (52,747)

#### Sports (20,074)

#### Sports Memorabilia (247,673)

#### Toys (90,683)

#### Travel (7,297)

604 606 608 610

600

### What We Do

Bidder's Edge is a free service which allows you to search across many auction sites at once. We provide historical pricing to help you determine if you are getting a good deal, and allow you to monitor ongoing auctions and watch for items in upcoming auctions.

### Hot Auctions

#### [Football Season!](#)

### Search

Find descriptions containing:

 

Narrow your search further: [Tips](#)

At Auction [All Auctions](#)

Using [All of the words](#) ▼

At Auction [All Auctions](#)

628

630

603

[home](#) | [sign out](#) | [my auctions](#) | [bid history](#) | [deal watch](#) | [personalize](#) | [help](#)  
[feedback](#) | [about bidder's edge](#) | [privacy policy](#) | [disclaimer](#)

*FIG. 6*

Title: System for Aggregating Information From  
Enterprise Offering Items for Exchange Over a  
Communication Network  
Inventor(s): Mundy et al.  
Serial No.: 09/428,702  
Atty Docket No.: BDE-001 (431/6)  
Atty/Agent: R. Stephen Rosenholm

7/12



# Bidder's Edge

We Give You the Edge at Online Auctions

604 606 608 610 612 614 616

home	sign in	categories	my auctions	deal watch	personalize	help
602	602	602	602	602	602	602

622 Search All Auctions:  
602

618

You are here: Bidder's Edge > All Categories

Auctions for: "sony speakers"

722

700

Search Results

724

Show  Both Merchant and Person-To-Person Items

726a  Person-To-Person Items ONLY

726b  Merchant Items ONLY

726c  Merchant Items ONLY

Explain the difference between the Auction Types

Matching Categories

730

Click on a category to narrow your search.

Computers (5) 728  
Electronics (32)

Current Auctions

718

704 702

720

706  
Approx. Bid

708  
Close (ERD)

710  
Past Prices

712  
Tools

= add to MyAuctions  = add to Item Watch

Electronics > Audio > Speakers

714 716

- Sony SRS-A15 3 Watt Powered Speaker System @ Yahoo (Person-to-Person) \$29.95 10/24, 04:32 AM
- Sony SRS-A15 3 Watt Powered Speaker System @ Yahoo (Person-to-Person) \$29.95 10/24, 04:32 AM



Search

620

Find descriptions containing:  Narrow your search further:

sony speakers

At Auction All Auctions

630

Using All of the words, ▼

628

603

home | sign in | my auctions™ | bid history™ | deal watch™ | personalize | help  
feedback | about bidder's edge | privacy policy | disclaimer

FIG. 7

Title: System for Aggregating Information From Enterprises Offering Items for Exchange Over a Communication Network  
Inventor(s): Mundy et al.  
Serial No.: 09/426,702  
Atty Docket No.: BDE-001 (431/6)  
Atty/Agent: R. Stephen Rosenholm

8/12



# Bidder's Edge

We Give You the Edge at Online Auctions

622 Search All Auctions:   618

602

home | sign out | categories | my auctions | deal watch | personalize | help  
604 606 608 610 612 614 616

You are here: Bidder's Edge > My Auctions

800

818

## My Lists

## Deal Watch (0)

Gives you an early edge by alerting you when items come up for auction.

## My Auctions (3) 806

You are here now.

## My Auctions

Current as of Friday, October 22, 04:25 PM EDT

Θ = removes from My Auctions      Ⓛ = add to ItemWatch

804

Click here to change your timezone!

814

816

• Sony SRS-A15 3 Watt Powered Speaker System

Yahoo

2 left @ \$29.95

Closes Sun, Oct 24, 12:45 PM EDT

808

810a

No price history yet.

You have not bid.

812

• \*\*\*SONY AM/FM RADIO w/Speaker and Earphone\*\*\*

Amazon

816

1 left @ \$6.50

Closes Sun, Oct 24, 5:34 PM EDT

808

No price history yet.

Please click here to record your Amazon account info,

so you can track your bids.

## HOT Auctions

## Football Season!

820

## Bid History

Past Auctions which you have monitored using "My Auctions".

## Categories

626

### Antiques (8,169)

### Beanie Babies (92,394)

### Books & Magazines (108,437)

### Cars, Trucks, etc. (7,162)

### Coins & Stamps (68,396)

### Collectibles (185,272)

### Computers (92,199)

### Dolls & Figures (32,854)

### Electronics (20,632)

### Glass, Porcelain &

### Pottery (51,046)

### Home & Leisure (80,973)

### Jewelry (63,869)

### Memorabilia (72,993)

### Miscellaneous (8,468)

### Movies & Video Games (41,815)

### Music & Instruments (53,269)

### Sports (20,212)

### Sports Memorabilia (246,176)

### Toys (90,737)

## Search

Find descriptions containing:

Using

624

Narrow your search further:

At Auction

628

620

630

home | sign out | my auctions™ | bid history™ | deal watch™ | personalize | help  
feedback | about bidder's edge | privacy policy | disclaimer

FIG. 8

Title: System for Aggregating Information From Enterprises Offering Items for Exchange Over a Communication Network  
Inventor(s): Muddy et al.  
Serial No.: 09/428,702  
Atty Docket No.: BDE-001 (431/6)  
Atty/Agent: R. Stephen Rosenholm



# Bidder's Edge

We Give You the Edge at Online Auctions

9/12

622

602

(Search All Auctions: 618)

[home](#) | [sign out](#) | [categories](#) | [my auctions](#) | [deal watch](#) | [personalize](#) | [help](#)

604

606

608

610

612

614

616

You are here: [Bidder's Edge](#) > [Deal Watch](#)

900

## Market Watch Added

The Market Watch specified has been successfully added.

## My Lists

### [Deal Watch](#) (2)

You are here now.

### [My Auctions](#) (3)

Saves you time by keeping price & status of your shopping list all in ONE PLACE, so you avoid going to each auction separately.

## HOT Auctions

### [Football Season!](#)

### [Categories](#) ~ 626

[Antiques](#) (6,201)

[Beanie Babies](#) (93,235)

[Books & Magazines](#) (109,630)

[Cars, Trucks, etc.](#) (7,222)

[Coins & Stamps](#) (69,341)

[Collectibles](#) (106,052)

[Computers](#) (93,604)

[Dolls & Figures](#) (32,604)

[Electronics](#) (20,848)

[Glass, Porcelain &](#)

[Pottery](#) (51,406)

[Home & Leisure](#) (80,982)

[Jewelry](#) (64,216)

[Memorabilia](#) (73,627)

[Miscellaneous](#) (8,427)

[Movies & Video Games](#) (42,053)

[Music & Instruments](#) (53,778)

[Sports](#) (20,306)

## Deal Watch

Get a daily report via email of ALL Auction offering items satisfying a search. This is called **Market Watch™**

Get notified via email when a specific item will be up for a bid at a specific auction site. This is called **Item Watch™**

### [Market Watch](#)-1 searches watched

removes a search from MarketWatch list

902

904

906

### [Search all auctions](#) in all categories

for "sony speaker" (all words)

### [Item Watch](#)-1 specific items being watched

removes a search from ItemWatch list

910

908

\* \*\*SONY AM/FM RADIO w/Speaker and Earphone\*\*  
Amazon No price history yet.

912

## Search

Find descriptions containing:

Narrow your search further: [TIPS](#)

Using [All of the words](#) ▼

624

628

At Auction [All Auctions](#) ▼

630

[home](#) | [sign out](#) | [my auctions™](#) | [bid history™](#) | [deal watch™](#) | [personalize](#) | [help](#)  
[feedback](#) | [about bidder's edge](#) | [privacy policy](#) | [disclaimer](#)

**FIG. 9**

10/12



# Bidder's Edge

We Give You the Edge at Online Auctions

622  Search All Auctions:  
602

618

home | sign out | categories | my auctions | deal watch | personalize | help

604 606 608 610 612 614 616

1000

You are here: [Bidder's Edge](#) > [Personalize](#)

## Personalization

### Personal Information Updated

Your personal information ([First Name] [Last Name] [Email Address]) has been updated.

1002

You May Change Your Password

Bidder's Edge will *never* provide any of your personal information to anyone else without your *explicit* authorization. Period. You can find out more in our [privacy policy](#).

Your Login: newusr ~1004

Change your Password:  (required) ~1006

Repeat Your Password:  (required) ~1008

Submit All ~1010

## Personal Information ~1012

Entering personal information will allow us to make your Bidder's Edge experience more personal. Press the "Submit All" button when you are done.

1014 ~1016

First Name <input type="text" value="New"/>	Last Name <input type="text" value="User"/>
<input type="checkbox"/> Send notifications to me via EMAIL at <input type="text" value="rosenhrs @ tth.com"/>	(Required for DealWatch Email notifications) 1022
<input type="checkbox"/> Send notifications to my ICQ address at <input type="text"/>	(Required for DealWatch ICQ notifications - or pagers)

Submit All ~1026 ~1024

## Time Zone Specification ~1028

The TimeZone setting will allow you use the site in the time zone of your choice. Press the "Submit All" button when you are done.

1030  
Time Zone

Submit All

1032

**FIG. 10**

Title: System for Aggregating Information From  
Enterprises Offering Items for Exchange Over a  
Communication Network  
Inventor(s): Mundy et al.  
Serial No.: 09/428,702  
Atty Docket No.: BDE-001 (431/6)  
Atty/Agent: R. Stephen Rosenholm

11/12



# Bidder's Edge

We Give You the Edge at Online Auctions

622 Search All Auctions: 618  
602

[home](#) | [sign out](#) | [categories](#) | [my auctions](#) | [deal watch](#) | [personalize](#) | [help](#)

604 606 608 610 612 614 616

You are here: [Bidder's Edge](#) > Categories

## Categories

1100

Index

Send us [Feedback!](#)

1102

1104

Antiques Beanie Babies Books & Magazines Cars, Trucks, etc. Coins & Stamps  
Collectibles Computers Dolls & Figures Electronics Glass, Porcelain & Pottery  
Home & Leisure Jewelry Memorabilia Miscellaneous Movies & Video Games  
Music & Instruments Sports Sports Memorabilia Toys Travel Other

*FIG. 11*

Title: System for Aggregating Information From  
Enterprises Offering Items for Exchange Over a  
Communication Network  
Inventor(s): Mundy et al.  
Serial No.: 09/428,702  
Atty Docket No.: BDE-001 (431/6)  
Atty/Agent: R. Stephen Rosenholm

12/12



You are here: [Bidder's Edge](#) > [Sign In](#)

1200

Logged Out Successfully

You are now logged out! Goodbye and please come back soon.

**Member Sign In** ( New Users Click [Here](#) to register!)

Signing In will give you access to your My Auctions List and your DealWatch notification capabilities. Press the "Submit All" button when you are done.

Your Member Name  1202

Your Password  1204

Save this information into the current Browser

Submit All 1206

603

[home](#) | [sign in](#) | [my auctions™](#) | [bid history™](#) | [deal watch™](#) | [personalize](#) | [help](#)  
[feedback](#) | [about bidder's edge](#) | [privacy policy](#) | [disclaimer](#)  
Copyright © 1998-1999 Bidder's Edge, Inc. All Rights Reserved.

FIG. 12